

1 R. ALI

2 A. I don't remember.

3 Q. Was it a tall type of ambulance or was  
4 it more like a station wagon or something  
5 else?

6 A. I don't remember. I didn't pay any  
7 mind to that.

8 Q. Did you actually, yourself, go inside  
9 the ambulance?

10 A. Yes.

11 Q. How did you get in the ambulance, did  
12 you walk in there, were you transported in  
13 there or something else?

14 A. They helped me to climb up the step in  
15 there.

16 Q. Were you ever placed on a stretcher at  
17 the scene?

18 A. No.

19 Q. Were any members of your family ever  
20 placed on the stretcher at the scene?

21 A. No.

22 Q. Did they put a neck brace on any  
23 member of your family, including yourself, at  
24 the scene?

25 A. No.

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2 Q. When they assisted you to get into the  
3 back of the ambulance what, if anything, did  
4 they do for your neck?

5 A. I don't understand the question.

6 Q. Well, let me ask you this. Were you  
7 or any member of your family taken by  
8 ambulance to a hospital?

9 A. No.

10 Q. What, if anything, did the ambulance  
11 personnel do for you personally while you  
12 were at the scene, besides ask you questions  
13 about how you were feeling?

14 A. I don't understand.

15 Q. After they assisted you in getting  
16 into the ambulance --

17 A. Yes.

18 Q. -- what happened next?

19 A. They just checked my neck, my blood  
20 pressure and my back.

21 Q. How did they check your neck, what did  
22 they do?

23 A. (Indicating).

24 Q. Did they put their hands on you?

25 A. Yes.

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2 Q. Did they ask you how you felt when  
3 they did touch certain parts?

4 A. Yes.

5 Q. Did they check your blood pressure  
6 with some type of instrument?

7 A. I think, yes.

8 Q. Do you recall them doing anything else  
9 for you personally?

10 A. No.

11 Q. Did they do, basically, the same thing  
12 for your wife?

13 A. I don't know.

14 Q. Was your entire family, at one time,  
15 inside the ambulance?

16 A. No.

17 Q. Did the ambulance personnel also  
18 examine your children?

19 A. Yes.

20 Q. They did examine your wife?

21 A. Yes.

22 Q. How long did the ambulance remain at  
23 the accident scene?

24 A. I don't remember.

25 Q. More than a half an hour, more than an

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2 hour?

3 A. I don't remember.

4 Q. Did the ambulance personnel ask you if  
5 you wanted to go to the hospital?

6 A. Yes.

7 Q. What did you say?

8 A. I told them no, I'm going to go in by  
9 myself. They said if they are going to take  
10 us, they are going to take us in different  
11 ambulance and we don't want to get displaced  
12 in different hospitals, my wife and my kids,  
13 so we're going to go in all together.

14 Q. The ambulance personnel told you that  
15 if you wanted to go to the hospital that the  
16 different members of your family would have  
17 to go in different ambulances and they may go  
18 to different hospitals?

19 A. Yes.

20 Q. Were the police still at the scene  
21 while the ambulance personnel was tending to  
22 you?

23 A. Yes.

24 Q. How did you leave the scene, did you  
25 drive your vehicle away from the scene?

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2 A. Yes.

3 Q. You drove it away with your entire  
4 family back in the car?

5 A. Yes.

6 Q. Sir, when you left the scene, had the  
7 ambulance already left the scene? Did the  
8 ambulance leave the scene before you?

9 A. I don't remember.

10 Q. When you left the scene were the  
11 police still there?

12 A. Yes.

13 Q. To your knowledge, was anybody  
14 arrested in connection with this accident?

15 A. No.

16 Q. Did you smell alcohol on the driver of  
17 the other vehicle?

18 A. No.

19 Q. Did you see anything about the driver  
20 of the other vehicle that would lead you to  
21 suspect that alcohol or drugs was related to  
22 the accident or anything like that?

23 A. No.

24 Q. Sir, in the twenty-four hour period  
25 immediately before this accident, had you

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2 consumed anything of an alcoholic nature?

3 A. I don't understand what you mean.

4 MR. MORRIS: Could you read that  
5 back, please?

6 (Whereupon the record was read  
7 back by the reporter.)

8 Q. Let me rephrase that. In the  
9 twenty-four hour period immediately before  
10 this accident, had you consumed any alcohol?

11 A. If I drink?

12 Q. I am not asking if you drink. In that  
13 twenty-four hour period, that one day  
14 immediately before this accident, had you  
15 consumed any alcohol?

16 A. No.

17 Q. In the forty-eight hour period, two  
18 days immediately before this accident, had  
19 you taken any drugs or medicine of any kind?

20 A. No.

21 Q. At the time of this accident, were you  
22 under a doctor's care which required you to  
23 take medicine?

24 A. No. I don't drink and I don't smoke.

25 Q. When you drove your vehicle away from

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2 the scene of the accident where did you go?

3 A. I went home.

4 Q. You took your entire family home?

5 A. Yes.

6 Q. What did you do next?

7 A. I dropped off the perishable groceries  
8 and went to the hospital.

9 Q. When you got home you put the  
10 perishables in the refrigerator, freezer or  
11 wherever they needed to go and you took your  
12 entire family and you went to a hospital?

13 A. Yes.

14 Q. What hospital was that?

15 A. New York Presbyterian.

16 Q. Did you know anybody that worked at  
17 New York Presbyterian Hospital at that time?

18 A. No.

19 Q. Is there any reason why you chose that  
20 hospital as opposed to some other hospital?

21 A. The service is better, I think.

22 Q. How far was New York Presbyterian  
23 Hospital from your home?

24 A. I don't know.

25 Q. That is in upper Manhattan?

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2 A. Yes.

3 Q. Did you take your entire family into  
4 the emergency room?

5 A. Yes.

6 Q. Was your entire family examined in the  
7 emergency room?

8 A. Yes.

9 Q. What complaints of pain, if any, did  
10 you make to the emergency personnel about how  
11 you were feeling?

12 A. My back and my neck.

13 Q. What did you tell them about your back  
14 and neck?

15 A. A lot of pain.

16 Q. What did they do for you?

17 A. They examined me.

18 Q. When they examined you, did they put  
19 their hands on you?

20 A. Yes.

21 Q. Did they ask you what parts of your  
22 body hurt you?

23 A. Yes.

24 Q. What else, if anything, did they do  
25 for you?

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2 A. Just checkup, make sure everything --  
3 you know.

4 Q. Did they take a history from you?

5 A. I don't understand.

6 Q. By that I mean, did they ask you were  
7 you involved in an accident? Did they take a  
8 history of what happened?

9 A. Yes, yes.

10 Q. Did they ask you about whether you had  
11 any accidents before or anything like that?

12 A. No.

13 Q. Did they give you any medicine?

14 A. At the hospital, no.

15 Q. Did they give you any prescriptions  
16 for medicine?

17 A. Yes.

18 Q. What prescription did they give you?

19 A. I don't remember.

20 Q. Was it a prescription that you had to  
21 take to a pharmacy to get filled?

22 A. Yes.

23 Q. Do you remember where you got it  
24 filled?

25 A. No, I don't remember.

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2 Q. Did you get it filled?

3 A. Yes.

4 Q. Do you remember for how long a supply  
5 it was for, a day, a week, a month or  
6 something else?

7 A. I don't remember.

8 Q. Do you know what type of medicine it  
9 was, was this painkillers, antibiotics? Do  
10 you recall what type --

11 A. No.

12 Q. Did you wind up taken that medicine?

13 A. Yes.

14 Q. For how long did you take it?

15 A. I don't remember.

16 Q. Best approximation?

17 A. I don't remember.

18 Q. Was it less than a month?

19 A. Yes.

20 Q. How long did you and your family  
21 remain in the emergency room of New York  
22 Presbyterian Hospital, best approximation?

23 A. I remember like three, four hours,  
24 four, five hours.

25 Q. Did the hospital staff also examine

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2 your wife and your children?

3 A. Yes.

4 Q. After your entire family was examined,  
5 did you then drive your entire family back  
6 home?

7 A. Yes.

8 Q. Sir, the next day when you woke up,  
9 how did you feel?

10 A. I have a lot of pain.

11 Q. Where, sir?

12 A. My entire body, my back, my neck, pain  
13 going down in my legs.

14 Q. Neck and back?

15 MR. MAYER: And pain going down  
16 his legs.

17 A. I had tingling in my hands.

18 Q. Had you ever experienced pain or  
19 sensations like that before?

20 A. I don't understand what you mean.

21 Q. Well, a new question. Before this  
22 accident, had you ever experienced that type  
23 of pain in your neck or back or pain going  
24 down your legs or tingling? Had you ever had  
25 that kind of experience in pain before?

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2 MR. MAYER: Just note my  
3 objection to form. That level of pain  
4 or any pain?

5 MR. MORRIS: Let me break it  
6 down.

7 Q. That level of pain --

8 A. No.

9 Q. -- did you ever experience that before  
10 the accident?

11 A. No.

12 MR. MAYER: That level of pain?

13 MR. MORRIS: Yes

14 Q. Sir, what is the highest level of  
15 formal education you have received?

16 A. I went to the eleventh grade.

17 Q. Did you finish the eleventh grade?

18 A. No.

19 Q. Was that in Guyana?

20 A. Over here in the Bronx.

21 Q. Where did you go to eleventh grade in  
22 the United States?

23 A. I went to Monroe in the Bronx.

24 Q. What is called Monroe High School?

25 A. Yes.

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2 Q. Sir, were you employed at the time of  
3 this accident?

4 A. Yes.

5 Q. As what, sir?

6 A. As a doorman.

7 Q. Who did you work for at that time?

8 A. 301 East 62 Owners Corp..

9 Q. Owners Corp.?

10 A. Yes.

11 Q. That's a co-op?

12 A. Yes.

13 Q. That address, 301 East 62nd Street,  
14 that is a building?

15 A. Yes.

16 Q. Is that a building at 301 East 62nd  
17 Street in Manhattan?

18 A. Yes.

19 Q. Sir, were you employed at any time as  
20 a doorman?

21 A. Yes.

22 Q. Full-time, what days of the week?

23 A. What days? Friday, Saturday, Sunday,  
24 Monday, Tuesday.

25 Q. So, you would work five days and your

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2 days off were Wednesday and Thursday?

3 A. Yes.

4 Q. What were your usual work hours?

5 A. 2:30 to 10:30 p.m..

6 Q. 2:30 p.m. to 10:30 p.m.?

7 A. Yes.

8 Q. When did you first get that work, sir?

9 A. About six years ago.

10 Q. Do you remember what month and what  
11 year you started there?

12 A. No.

13 Q. Six years ago you started there?

14 A. Yes.

15 Q. Six years ago from 2008; am I correct?

16 A. Yes.

17 Q. Were you a member of a union?

18 A. Yes.

19 Q. What was the name of the union, sir?

20 A. 32BJ.

21 Q. 32?

22 A. BJ.

23 Q. Have you been a member of the union  
24 the entire time you worked for them?

25 A. Yes.

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2 Q. Do you presently work for them?

3 A. Yes.

4 Q. You work for them full-time?

5 A. Yes.

6 Q. You are still working at the same  
7 location?

8 A. Yes.

9 Q. Sir, the building you work in, how  
10 many stories is that building?

11 A. Thirteen.

12 Q. Is this a building that is serviced by  
13 elevators?

14 A. Yes.

15 Q. At the time of this accident, as a  
16 doorman what were your job duties?

17 A. I don't understand.

18 Q. We're all familiar with the term  
19 doorman. What were your job duties, if you  
20 could be more specific about what you did as  
21 a doorman?

22 MR. MAYER: Of course, we know  
23 you were a doorman around the time of  
24 the accident. He wants to know what  
25 kind of things you would be doing.

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2 A. Helping out tenants with packages,  
3 opening the door.

4 Q. Was there a lobby in this building?

5 A. Yes.

6 Q. Was there a desk there?

7 A. Yes.

8 Q. Was that your job station?

9 A. Yes.

10 Q. Did the desk have a chair?

11 A. Yes.

12 Q. Were you permitted to sit down as part  
13 of your job duties?

14 A. Yes.

15 MR. MAYER: Is it a chair or a  
16 stool?

17 THE WITNESS: It's a stool.

18 Q. This building, is this a residential  
19 building, office or something else?

20 A. Residential.

21 Q. Were you required to assist in the  
22 tenants carrying their packages or was that  
23 something you did voluntarily or something  
24 else?

25 A. Voluntarily.

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2 Q. Do you know how many units were in  
3 your building, approximately?

4 A. We have some apartments combined. I'm  
5 not too sure.

6 Q. More than a hundred units?

7 A. Yes.

8 Q. As part of your job, are you given a  
9 walkie-talkie?

10 A. Yes.

11 Q. Besides your post in the lobby at that  
12 desk, are you expected to make rounds of the  
13 premises? Do you know what I mean?

14 A. No.

15 Q. Do you know what a key clock is, the  
16 station on a key clock? Are you familiar  
17 with anything like that?

18 A. No.

19 MR. MAYER: Are you asking if he  
20 acts as a porter?

21 MR. MORRIS: No. Off the  
22 record.

23 (Discussion held off the  
24 record.)

25 Q. As part of your job duties, were you

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2 required to check various locations around  
3 the building to see that exit doors were  
4 secured or anything like that?

5 A. No, just the entrance door.

6 Q. That was your post?

7 A. Yes.

8 Q. Basically, you would make sure that  
9 anybody who didn't belong there would not  
10 come in, correct?

11 A. Yes.

12 Q. Sir, what was your pay at the time of  
13 this accident, were you paid by the hour or  
14 something else?

15 A. Hour.

16 Q. What was your hourly wage?

17 A. About \$40.

18 Q. About \$40 an hour?

19 A. Yes.

20 Q. Is that including benefits?

21 A. Yes, it did. They have to take out  
22 for me.

23 Q. Sir, did you work overtime at the time  
24 of your accident?

25 A. No.

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2 Q. Was overtime available to you?

3 A. Yes.

4 MR. MAYER: Did you get paid  
5 pursuant to a union scale for local  
6 32BJ? Did you get paid what all the  
7 other doormen get paid in the union?

8 THE WITNESS: Yes.

9 Q. Did you not working overtime have  
10 anything to do with this accident?

11 A. What?

12 MR. MORRIS: Strike that  
13 question.

14 Q. Since the accident, have you worked  
15 overtime?

16 A. No.

17 Q. The fact that you haven't worked  
18 overtime since the accident, does that have  
19 anything to do with the accident?

20 A. No.

21 Q. Was your workday considered to be  
22 eight hours or something else?

23 A. Eight hours.

24 Q. So, your workweek was forty hours?

25 A. Yes.

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2 Q. What was your gross paycheck at the  
3 time of this accident?

4 A. \$490 -- \$475.

5 Q. Is that take home or is that gross?

6 A. That was take home. No, not -- 5 --

7 Q. Take your time.

8 A. It's about \$575.

9 Q. You would take home about \$575?

10 A. Yes.

11 Q. How frequently, every week?

12 A. Every week.

13 Q. You had deductions from your gross,  
14 gross is the big figure that is the total  
15 figure?

16 A. Yes.

17 Q. What you take home was the smaller  
18 figure, correct?

19 A. Yes.

20 Q. What did you have deductions for? Did  
21 you have deductions for health insurance?

22 A. Yes.

23 Q. Did you have deductions from for your  
24 check towards a pension or 401?

25 A. Yes.

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2 Q. Did you have your entire family on a  
3 health plan through this employment?

4 A. No.

5 Q. Any other deductions, that you are  
6 aware of, besides taxes? How about union  
7 dues, how much were your union dues?

8 A. Union dues about \$60 plus.

9 Q. About \$60?

10 A. Yes, every month.

11 Q. Per month?

12 A. Yes.

13 Q. Were you paid weekly, biweekly or  
14 something else?

15 A. Weekly. They take it out of my  
16 paycheck. No, no, I'm sorry. It is not  
17 weekly. They take it every month.

18 Q. You did tell me \$60 a month as opposed  
19 to \$60 a week.

20 A. Yes.

21 Q. Sir, had you worked the day of your  
22 accident?

23 A. No.

24 Q. You would normally work a Saturday; is  
25 that correct?

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2 A. Yes.

3 Q. You took this as a vacation day or  
4 something like that?

5 A. No.

6 Q. Were you scheduled to work that day?

7 A. Yes.

8 Q. Did you call them at work and tell  
9 them about the accident?

10 A. I called in sick.

11 MR. MAYER: You used a sick day?

12 THE WITNESS: Yes, a sick day.

13 Q. Did your union contract give you a  
14 certain amount of sick days per year?

15 A. Yes.

16 Q. How many?

17 A. They gave us ten.

18 Q. If you did not use up your sick days  
19 within that year, were you allowed to  
20 accumulate them?

21 A. No.

22 Q. You had to use them up?

23 A. They either pay you at the end of the  
24 year.

25 Q. So, if you didn't use up your sick

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2 days within that year, they would pay you the  
3 value of your sick time?

4 A. Yes.

5 Q. Did you go to work the day of your  
6 accident?

7 A. No.

8 Q. Had you worked the day before the  
9 accident?

10 A. Yes.

11 Q. When is the very next time after the  
12 accident you returned to work?

13 A. I believe it was the next day after  
14 the accident.

15 Q. You went to work that Sunday?

16 A. Yes.

17 Q. Did you work full-time?

18 A. Yes.

19 Q. Did there come a time when you took  
20 time off from work because of the accident?

21 A. Yes.

22 Q. When did that start?

23 A. Not too long after the accident.

24 Q. Approximately, how long after the  
25 accident? I know you took the day off

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2 because of the accident, but after that --

3 A. I don't remember.

4 Q. Was it within a week or two?

5 A. Probably within a week. I don't  
6 remember.

7 Q. Once you started taking time off from  
8 work, besides that first day of the accident,  
9 did you take time off continuously or was it  
10 days here, days there?

11 A. Actually, sorry. I went back to work  
12 for a little while, but then, you know, I had  
13 to take time off a couple weeks. Went back  
14 for a couple weeks and I have to --

15 Q. How much time, all together, did you  
16 lose from work because of this accident?

17 A. I don't know. Not too sure.

18 MR. MAYER: Could you  
19 approximate, a week, a month, a couple  
20 months?

21 A. A couple months.

22 Q. When you say a couple months, how much  
23 would you say, best approximation?

24 A. Two or three months.

25 Q. Was this a continuous straight period